

Message Text

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ACTION L-03

INFO OCT-01 ARA-14 ISO-00 CA-01 JUSE-00 OPR-02 SSO-00
/021 W

-----100701 282351Z /17

O 282313Z APR 78

FM AMEMBASSY MEXICO

TO SECSTATE WASHDC NIACT IMMEDIATE 9914

UNCLAS SECTION 01 OF 02 MEXICO 07100

E. O. 11652: N/A

TAGS: CPRS, US, MX

SUBJECT: EXTRADITION TREATY NEGOTIATIONS - MEXICO

REF: MEXICO 7007; GAITHER TO SIERRA TELECON OF APRIL
28, 1978.

FOR OPR/LS - MR. SIERRA

1. PURSUANT TO REF TELECON, EMBASSY LEGAL ADVISER
GAITHER AND JUSTICE REPRESENTATIVE HARRIS MET WITH
UNDERSECRETARY ROSENZWEIG DIAZ APRIL 28 TO REVIEW
SUGGESTED LANGUAGE CHANGES IN SCHEDULE OF OFFENSES.
ROSENZWEIG DIAZ EXPRESSED HOPE THAT THERE WOULD BE
FEW LANGUAGE CHANGES SINCE THE NEGOTIATIONS WERE
CONDUCTED ON THE BASIS OF THE ELEMENTS OF THE OFFENSES
IN U. S. LAW COMPARED WITH THE ELEMENTS OF THE
SAME OFFENSES IN MEXICAN LAW. HE STATED THAT HE COULD
NOT AGREE TO SPANISH LANGUAGE DESCRIPTIONS WHICH
DID NOT EXIST IN THE MEXICAN PENAL CODE.

2. TEXT OF AGREED OFFENSES IN BOTH LANGUAGES IS AS
FOLLOWS. BEGIN QUOTE:

1. MURDER OR MANSLAUGHTER; ABORTION.

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HOMICIDIO; PARRICIDIO; INFANTICIDIO; ABORTO.

2. MALICIOUS WOUNDING OR INJURY.

LESIONES GRAVES INTENCIONALES.

3. NOT AGREED.

4. KIDNAPPING; CHILD STEALING; ABDUCTION; FALSE
IMPRISONMENT.

SECUESTRO; PRIVACION ILEGAL DE LIBERTAD; ROBO DE

INFANTE; RAPTO.

5. RAPE; STATUTORY RAPE; INDECENT ASSAULT; CORRUPTION OF MINORS, INCLUDING UNLAWFUL SEXUAL ACTS WITH OR UPON CHILDREN UNDER THE AGE OF CONSENT.
VIOLACION; ESTUPRO; ATENTADO AL PUDOR; CORRUPCION DE MENORES, INCLUYENDO ACTOS SEXUALES ILICITOS COMETIDOS CON MENORES DE EDAD.
6. PROCURATION; PROMOTING OR FACILITATING PROSTITUTION.
LENOCINIO.
7. ROBBERY; BURGLARY; LARCENY.
ROBO; ROBO CON VIOLENCIA; ALLANAMIENTO DE MORADA.
COMMENT: "HURTO" IS NOT A WORD USED IN MEXICAN LAW. THE WORD "ROBO" INCLUDES THE CONCEPT OF THEFT AND LARCENY.
8. FRAUD.
FRAUDE
9. NOT AGREED.
10. AN OFFENSE AGAINST THE LAWS RELATING TO COUNTERFEITING AND FORGERY.
DELITOS RELATIVOS A LA FALSIFICACION EN TODAS SUS FORMAS.
11. EXTORTION.
EXTORSION; EXACCION ILEGAL.
COMMENT: THE WORD "CONCUSION" WAS DELETED SINCE IT IS CONTAINED IN OFFENSE 29.
12. RECEIVING OR TRANSPORTING ANY MONEY, VALUABLE SECURITY.
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ITIES, OR OTHER PROPERTY KNOWING THE SAME TO HAVE BEEN UNLAWFULLY OBTAINED.
RECIBIR O TRANSPORTAR SUMAS DE DINERO, VALORES O CUALQUIER COSA A SABIENDAS DE QUE FUERON OBTENIDAS DELICTUOSAMENTE.

13. ARSON; MALICIOUS INJURY TO PROPERTY.
INCENDIO INTENCIONAL Y DANO INTENCIONAL EN PROPIEDAD AJENA.
14. OFFENSES AGAINST THE LAWS RELATING TO THE TRAFFIC IN, POSSESSION, PRODUCTION, MANUFACTURE, IMPORTATION OR EXPORTATION OF DANGEROUS DRUGS AND CHEMICALS, INCLUDING NARCOTIC DRUGS, CANNABIS, PSYCHOTROPIC DRUGS, OPIUM, COCAINE, OR THEIR DERIVATIVES.
DELITOS RELATIVOS AL TRAFICO, POSESION, PRODUCCION, ELABORACION, IMPORTACION O EXPORTACION DE DROGAS Y PRODUCTOS QUIMICOS PELIGROSOS INCLUYENDO DROGAS NARCOTICAS, CANNABIS, DROGAS PSICOTROPICAS, OPIO, COCAINA O SUS DERIVADOS.
15. OFFENSES AGAINST THE LAWS RELATING TO THE CONTROL OF POISONOUS CHEMICALS OR SUBSTANCES INJURIOUS TO HEALTH.

DELITOS EN MATERIA DE CONTROL DE PRODUCTOS QUIMICOS
VENENOSOS O DE SUBSTANCIAS DANINAS A LA SALUD.

16. NOT AGREED.

17. NOT AGREED.

18. AN OFFENSE RELATING TO UNLAWFUL SEIZURE OR EXERCISE
OF CONTROL OF TRAINS, AIRCRAFT, VESSELS, OR OTHER
MEANS OF TRANSPORTATION.

SECUESTRO O APODERAMIENTO ILEGAL DE TRENES, AERONA-
VES, BARCOS U OTROS MEDIOS DE TRANSPORTE.

19. OFFENSES AGAINST THE LAWS RELATING TO PROHIBITED

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20. AN OFFENSE AGAINST THE LAWS RELATING TO INTERNATIONAL
TRADE AND TRANSFERS OF FUNDS OR VALUABLE METALS.
DELITOS CONTRA EL COMERCIO INTERNACIONAL Y EN
MATERIA DE TRANSMISION INTERNACIONAL DE FONDOS Y
METALES PRECIOSOS.

21. AN OFFENSE AGAINST THE LAWS RELATING TO THE IMPORT-
ATION, EXPORTATION, OR INTERNATIONAL TRANSIT OF
GOODS, ARTICLES, OR MERCHANDISE, INCLUDING HISTORICAL
OR ARCHEOLOGICAL ITEMS.

DELITOS PREVISTOS EN LAS LEYES RELATIVAS A LA
IMPORTACION, EXPORTACION O TRANSITO INTERNACIONAL
DE BIENES, ARTICULOS O MERCANCIAS INCLUYENDO OB-
JETOS HISTORICOS O ARQUEOLOGICOS.

22. VIOLATIONS OF THE CUSTOMS LAWS.

DELITOS EN MATERIA ADUANAL.

23. OFFENSES AGAINST THE LAWS RELATING TO THE CONTROL

OF COMPANIES, BANKING INSTITUTIONS, OR OTHER
CORPORATIONS.

DELITOS PREVISTOS EN LAS LEYES RELATIVAS AL CONTROL
DE SOCIEDADES MERCANTILES, INSTITUCIONES BANCARIAS

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Y OTRAS PERSONAS MORALES.

COMMENT: "PERSONAS MORALES" IS THE PHRASE USED IN
MEXICAN PENAL CODE AS BEING A CORRECT DESIGNATION
OF CORPORATION.

24. OFFENSES AGAINST THE LAWS RELATING TO THE SALE OF
SECURITIES, INCLUDING STOCKS, BONDS AND INSTRUMENTS
OF CREDIT.

DELITOS PREVISTOS EN LAS LEYES RELACIONADAS CON EL
MERCADO DE VALORES, INCLUYENDO LA VENTA DE ACCIONES,
BONOS Y TITULOS DE CREDITO.

25. NOT AGREED.

26. OFFENSES AGAINST THE LAWS RELATING TO PROHIBITION
OF MONOPOLY OR UNFAIR TRANSACTIONS.

DELITOS EN MATERIA DE MONOPOLIOS Y DE COMPETENCIA
DESLEAL.

27. OFFENSES AGAINST THE LAWS RELATING TO PROTECTION
OF INDUSTRIAL PROPERTY OR COPYRIGHT.

DELITOS PREVISTOS EN LAS LEYES RELACIONADAS CON
LA PROTECCION DE LA PROPIEDAD INDUSTRIAL Y DERECHOS
DE AUTOR.

28. OFFENSES AGAINST THE LAWS RELATING TO ABUSE OF
OFFICIAL AUTHORITY.

DELITOS PREVISTOS EN LAS LEYES RELACIONADAS CON EL
ABUSO DE AUTORIDAD.

COMMENT: THE WORD "AUTORIDAD" INCLUDES THE CONCEPT
OF OFFICIAL AUTHORITY AND IT WOULD THEREFORE BE
IMPROPER LEGALLY TO USE THE PHRASE "AUTORIDAD
OFICIAL".

29. BRIBERY, INCLUDING SOLICITING, OFFERING AND
ACCEPTING BRIBES.

COHECHO Y CONCUSION.

30. NOT AGREED.

31. OFFENSES AGAINST THE LAWS RELATING TO OBSTRUCTION
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OF JUSTICE, INCLUDING HARBORING CRIMINALS AND
SUPPRESSING EVIDENCE.

DELITOS RELATIVOS A LA OBSTRUCCION DE LA JUSTICIA
INCLUYENDO EL ENCUBRIMIENTO Y LA SUPRESION DE
PRUEBAS.

END QUOTE.

3. EMBASSY WILL TRANSMIT THOSE OFFENSES NOT YET AGREED
TO BY SEPTTEL AS SOON AS RECEIVED. LUCEY

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: EXTRADITION AGREEMENTS, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 28 apr 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978MEXICO07100
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780183-0100
Format: TEL
From: MEXICO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t1978045/aaaaadte.tel
Line Count: 229
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: c15c88ac-c288-dd11-92da-001cc4696bcc
Office: ACTION L
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 78 MEXICO 7007
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 09 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2947097
Secure: OPEN
Status: NATIVE
Subject: EXTRADITION TREATY NEGOTIATIONS - MEXICO
TAGS: CPRS, PDIP, US, MX
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/c15c88ac-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014